

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

IN RE: YASMIN AND YAZ)	
(DROSPIRENONE) MARKETING, SALES)	3:09-md-02100-DRH-PMF
PRACTICES AND PRODUCTS LIABILITY)	
LITIGATION)	MDL No. 2100

This Document Relates to:

Lauren Myers v. Bayer Corp., et al. **No. 3:12-cv-10089-DRH-PMF**

Shannon Wiley v. Bayer Corp., et al. **No. 3:12-cv-10873-DRH-PMF**

ORDER GRANTING MOTION TO DISMISS WITHOUT PREJUDICE

This matter is before the Court on the Bayer Defendants' motions for an order dismissing the above captioned plaintiffs' claims without prejudice for failure to file an appearance as required by this Court's Order and Local Rule 83.1(g)(2).

On October 9, 2012, the Court granted a motion to withdraw filed by plaintiff Shannon Wiley's counsel (3:12-cv-10873 Doc. 8). On November 7, 2012, the Court granted a motion to withdraw filed by plaintiff Lauren Myer's counsel (3:12-cv-10089 Doc. 7). Both orders provided that, "[i]f plaintiff or her new counsel fails to file a supplementary entry of appearance within 21 days of the entry of this Order, plaintiffs' actions will be subject to dismissal without prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute or to comply with the Orders of this Court including failure to comply with the Plaintiff Fact Sheet requirements." To date, and in violation of the Order and

Local Rule 83.1(g), the above captioned plaintiffs have not filed a supplementary appearance.

The plaintiffs must comply with the Local Rules and this Court's orders. Fed. R. Civ. P. 41(b). In addition, the plaintiffs' delay has prejudiced the Bayer defendants. Ms. Wiley's Plaintiff Fact Sheet was due on or before October 20, 2012 and Ms. Myers' Plaintiff Fact Sheet was due on or before November 19, 2012. To date, and in violation of CMO 12, Ms. Wiley and Ms. Myers have not served a fact sheet.

Accordingly, for the reasons stated herein, the claims of the above captioned plaintiffs are hereby dismissed without prejudice.

So Ordered:

 Digitally signed by
David R. Herndon
Date: 2013.01.22
15:41:06 -06'00'

Chief Judge
United States District Court

Date: January 22, 2013